

United States District Court
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

YOSEF S FRASER

v.

COMMISSIONER, SSA

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Civil Action No. 4:16-CV-49

(Judge Mazzant/Judge Nowak)

**MEMORANDUM ADOPTING REPORT AND
RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the Magistrate Judge pursuant to 28 U.S.C. § 636. On March 27, 2017, the report of the Magistrate Judge (Dkt. #19) was entered containing proposed findings of fact and recommendations that Defendant's Motion to Dismiss (Dkt. #13) be granted, Plaintiff's Request for Default Judgment by Omission (Dkt. #15) be denied, and Plaintiff's Emergency Request for Judgement [sic] by Default and Omission [sic] Request for Expedited Benefits (Dkt. #18) be denied.

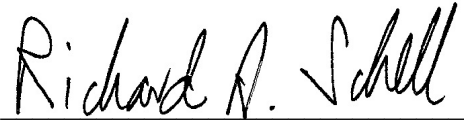
Having received the report of the United States Magistrate Judge, and no objections thereto having been timely filed, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge's report as the findings and conclusions of the Court.

It is, therefore, **ORDERED** that Defendant's Motion to Dismiss (Dkt. #13) is **GRANTED**, Plaintiff's Request for Default Judgment by Omission (Dkt. #15) is **DENIED**, and Plaintiff's Emergency Request for Judgement [sic] by Default and Omission [sic] Request for Expedited Benefits (Dkt. #18) is **DENIED**.

It is further **ORDERED** that each of Plaintiff's claims against Defendant are **DISMISSED** with prejudice. All relief not previously granted is **DENIED** (including specifically relief sought by and through Dkt. #11). The Clerk is directed to **CLOSE** this civil action.

IT IS SO ORDERED.

SIGNED this the 3rd day of May, 2017.

A handwritten signature in black ink, reading "Richard A. Schell". The signature is written in a cursive, flowing style. The first name "Richard" is written with a large, prominent "R". The middle initial "A." is written in a smaller, more compact script. The last name "Schell" is written with a large, sweeping "S" and a long, horizontal tail stroke that extends to the right.

RICHARD A. SCHELL
UNITED STATES DISTRICT JUDGE